



CRM-M-49437-2024

-1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-49437-2024
Date of decision: 14.11.2024

RAJIV SHARMA
....Petitioner

Versus

STATE OF PUNJAB
....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. M.S. Rana, Advocate for the petitioner.

Mr. Amit Shukla, AAG Punjab.

.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
27	25.03.2024	406, 420 IPC	Mehtiana, District Hoshiarpur

2. Learned counsel for the petitioner submits that in compliance to the order dated 21.10.2024, the petitioner has joined the investigation.
3. During the course of hearing on 21.10.2024, following order had been passed: -

“ Reply dated 20.10.2024 in the form of an affidavit of Deputy Superintendent of Police, Sub Division Chabbewal, District Hoshiarpur, has been filed. The same is taken on record.



CRM-M-49437-2024

-2-

Copy thereof has been supplied to learned counsel for the petitioner.

2. *It is inter alia contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that even the Court of learned Additional Sessions Judge, Hoshiarpur, had granted him concession of interim bail vide order dated 04.04.2024 and was directed to join the investigation but due to the fact that this order was not conveyed by learned counsel representing the petitioner to him, he could not join the investigation.*

3. *Learned counsel for the petitioner further contends that learned Additional Sessions Judge, Hoshiarpur vide impugned order dated 18.04.2024 (Annexure P-5) dismissed the application for grant of anticipatory bail as the petitioner failed to obey the orders of the learned Court.*

4. *He further contends that the petitioner is not having any other criminal antecedents and is ready to join the investigation.*

5. *Per contra, learned State counsel while referring to the reply submitted by the State has not disputed the factual matrix and on receiving instructions from ASI Omkar Singh, Investigating Officer of the case admits that the petitioner had been asked to join the investigation by the Court of learned Additional Sessions Judge, Hoshiarpur, which he could not do so.*

6. *Be that as it may.*

7. *Without commenting on the merits of the case, the petitioner is directed to join the investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) of BNSS, 2023.*

8. *List on 12.11.2024."*

4. Learned State counsel on instructions received from Investigating Officer of the case informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation



CRM-M-49437-2024

-3-

consequent to the order dated 21.10.2024 passed by this Court, interim bail granted vide order dated 21.10.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

14.11.2024
puneet

(SANJIV BERRY)
JUDGE

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |